



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED  
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, July 16, 2009, at 9:05 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 11:05 p.m.

Present were Chairman Royce Hanson, Vice Chair John Robinson, and Commissioners Joe Alfandre, Jean Cryor, and Amy Presley.

Items 1 through 7 are reported on the attached agenda. The Board also began discussion of afternoon session Item 14, which was continued following the lunch recess.

The Board recessed at 12:00 p.m. for lunch and to take up Item 13 in Closed Session.

In compliance with §10-509(c)(2), State Government Article, Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:55 p.m. in the third floor conference room, on motion of Vice Chair Robinson, seconded by Commissioner Cryor, with Chairman Hanson, Vice Chair Robinson, and Commissioners Alfandre, Cryor, and Presley present and voting in favor of the motion. The meeting was closed under authority of §10-508(a)(13), State Government Article, Annotated Code of Maryland, to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the Closed Session were Associate General Counsel Carol Rubin of the Legal Department and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board approved submitted Closed Session minutes.

The Closed Session was adjourned at 12:58 p.m. and the Board reconvened in open session in the third floor conference room.

The Board reconvened in the auditorium at 1:05 p.m.

Items 8 through 12 and Items 14 and 15 are reported on the attached agenda.

The Board recessed for dinner at 6:30 p.m. and reconvened in the auditorium at 7:20 p.m. to consider Item 13, Sligo Golf Course Re-use Plan Objectives, which is reported on the attached agenda.

There being no further business, the meeting was adjourned at 11:05 p.m. The next regular meeting of the Planning Board will be held on Monday, July 20, 2009, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye  
Technical Writer

M. Clara Moise  
Technical Writer

**Montgomery County Planning Board Meeting  
Thursday, July 16, 2009**

8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Adoption of Opinions/Resolutions**

**A. EZ Storage - Burtonsville Industrial Park**, Preliminary Plan No. 120070510; *Adoption of MCPB Resolution No. 09-51*

**B. Fishers Place at Twinbrook Metro**, Site Plan Amendment No. 82001025C; *Adoption of MCPB Resolution No. 09-69*

**BOARD ACTION**

**Motion:** ROBINSON/PRESLEY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Adopted the Board Resolutions cited above.

**2. Record Plats**

**Subdivision Plat 220081960, Ancient Oak West**

R-200 zone; 4 lots; located on the south side of Darnestown Road (MD 28), 100 feet east of Country Glen Court; Potomac.

*Staff recommendation: Approval*

**Subdivision Plat No. 220090550, Greenacres**

R-60 zone; 2 lots; located on the north side of Allandale Road, 400 feet west of Greenway Drive; Bethesda-Chevy Chase.

*Staff recommendation: Approval*

**BOARD ACTION**

**Motion: ROBINSON/CRYOR**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved the Record Plats cited above.**

**3. Consent Items**

A. Correction to Clarksburg Town Center Project Plan Amendment #91994004B

B. Correction to Clarksburg Town Center Preliminary Plan Amendment #11995042A

**BOARD ACTION**

**Motion: ROBINSON/CRYOR**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: PRESLEY RECUSED**

**Action: Approved corrections to the Board Resolutions for the project plan amendment and preliminary plan amendment for the Clarksburg Town Center cited above.**

**4. Approval of Minutes**

**BOARD ACTION**

**Motion:** ROBINSON/PRESLEY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved the minutes of June 8 and June 11, 2009, as presented.

**5. Planning Board Draft Gaithersburg West Master Plan  
(No Public Testimony will be Taken)**

*Staff recommendation: Review of Plan and Approval to Transmit to County Executive and County Council*

**BOARD ACTION**

**Motion:** ROBINSON/CRYOR

**Vote:**

**Yea:** 4-1

**Nay:** ALFANDRE

**Other:**

**Action:** Approved the staff recommendation to transmit the Planning Board Draft Plan to the County Council and County Executive, as stated in the attached Letter of Transmittal.

Community-Based Planning staff provided an overview of the major recommendations in the draft Gaithersburg West Master Plan, noting changes that the Board identified during work-sessions, including increased density on the Danak site, and a revised staging plan.

There followed some discussion of the zoning, density, and staging of development and infrastructure, with emphasis on the relationship between development and full funding and construction of the Corridor Cities Transitway. The Board also provided editorial revisions.

Commissioner Alfandre did not support the motion, expressing concern about sprawl.

**6. Proposed Zoning Text Amendment**

To amend the Zoning Ordinance to amend the Life Sciences Center (LSC) zone to permit mixed-use development under certain circumstances in order to promote the growth and advancement of life sciences and applied technologies and to establish the use of building lot termination development rights in the LSC zone.

*Staff recommendation: Transmit to County Council for introduction.*

**(Public Testimony will be taken at Planning Board review after County Council hearing)**

**BOARD ACTION**

**Motion: ALFANDRE/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved the staff recommendation to transmit the proposed Zoning Text Amendment to the County Council for introduction, with editorial revisions identified in discussion, as stated in the attached Letter of Transmittal.**

Development Review staff presented the proposed Zoning Text Amendment to revise the Life Sciences Center (LSC) Zone, which was discussed concurrently with the Public Hearing Draft of the Gaithersburg West Master Plan, as detailed in the staff report. Staff also distributed a revised list of allowable uses.

There followed some discussion, during which the Board offered some editorial revisions for incorporation prior to transmittal.

**7. Planning Board Draft White Flint Sector Plan  
(No Public Testimony will be Taken)**

*Staff recommendation: Approval to Transmit to the County Executive and County Council*

**BOARD ACTION**

**Motion: ROBINSON/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action:**       **Approved transmittal of the Planning Board Draft White Flint Sector Plan to the County Executive and County Council.**

Community-Based Planning staff presented the final Planning Board Draft White Flint Sector Plan for transmittal to the County Executive and County Council, noting some final revisions made at the request of the Board.

**16.    Closed Session**

Pursuant to Annotated Code of Maryland, State Government Article, Section 10-508 (a) (13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter (Approval of Closed Session Minutes)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**       **Discussed in Closed Session. See State citation and open session report in narrative minutes.**

**14.    Proposed Zoning Text Amendment - Added**

Proposed Zoning Text Amendment to establish a new group of mixed-use zones—The Commercial/Residential (CR) Zones and establish allowable land uses, purposes, general requirements, development standards, density incentive provisions, and approval procedures for development under the CR zones.

*Staff recommendation: Transmit to County Council for Introduction*

**BOARD ACTION**

**Motion:**               **ALFANDRE/ROBINSON**

**Vote:**

**Yea:**               **4-0**

**Nay:**

**Other:**               **CRYOR TEMPORARILY ABSENT**

**Action:           Approved staff recommendation to transmit to County Council for introduction.**

Following Development Review Division staff presentation during the morning session, the Board continued discussion of the proposed Zoning Text Amendment to establish a new group of mixed-use zones.

The following speakers offered testimony: Mr. Don Briggs of Jefferson Street and representing White Flint Partnership; Ms. Barbara Sears of Wisconsin Avenue and representing Federal Realty Investment Trust; Mr. Kurt Meeske of 22<sup>nd</sup> Street N.W.; Mr. Robert Stoddard of Executive Boulevard; Mr. Greg Trimmer of Willard Avenue; Mr. Steve Elmendorf of Wisconsin Avenue and representing Linowes & Blocher; Mr. Robert Eisinger of Frederick Road and representing Blake & Waverly Associates; Ms. Natalie Goldberg of Jolly Way and representing the Garrett Park Estates/White Flint Park C.A.; Mr. Tim Dugan of Rockville Pike; and Mr. Perry Berman of Briarglan Drive; and Ms. Patricia Harris of Bethesda Way.

Chairman Hanson noted that the Planning Director and his staff did a great job in writing this proposed zoning amendment request and deserve recognition for their work.

**8.       Worksession #2: Housing Element of the General Plan - POSTPONED**

Review of goals and objectives, draft plan's recommendations and the proposed Planning Board Draft

**(No Public Testimony will be taken)**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:           This item was postponed.**

**9.       Growth Policy Worksession #3**

**(No Public Testimony will be taken)**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received presentation by Planning Department staff followed by a brief Board discussion and questions to staff.**

Planning Department staff noted that the final 2009-2011 Growth Policy Report will be presented to the Board on July 30 for approval before transmission to the County Council on August 3, 2009.

**10. Local Map Amendment No: G-877**

Kensington Heights 2, LLC, applicant, requests a local map amendment to allow a maximum of 27 residential units, R-60 & C-T Zones to RT-8 Zone; located at W. University Boulevard & Findley Road, Kensington

*Staff recommendation: Approval*  
**(Action required for hearing by the Hearing Examiner on 07/31/09)**

**BOARD ACTION**

**Motion: PRESLEY/HANSON**

**Vote:**

**Yea: 2-1**

**Nay: ALFANDRE**

**Other: ROBINSON RECUSED DUE TO POSSIBLE CONFLICT OF INTEREST  
CRYOR TEMPORARILY ABSENT**

**Action: Contrary to staff recommendation for approval, the Board denied the proposed Local Map Amendment request.**

At the start of the meeting Vice Chair Robinson stated that he recuses himself because of possible conflict of interest, as he is a resident and is involved in the community.

Development Review Division staff offered a detailed multi-media presentation based on the July 6 technical staff report.

Mr. Steve Robins, attorney for the applicant, introduced members of the applicant's team, briefly discussed the proposed amendment, and concurred with the staff recommendation.

Members of the applicant's team discussed community outreach efforts, traffic impact, and design issues.

The following speakers offered testimony: Ms. Donna Savage of McComas Court and representing the Kensington Heights Citizens Association; Mr. Benjamin Brunjes of Findley Road; Mr. Jerome Mortman of Drumm Avenue; Mr. Alvaro Espinel of Findley Road; Mr. Carl



Day of Drumm Avenue; Mr. Aaron Garnett of Findley Road (testimony read by his wife Megan Garnett); Ms. Megan Garnett of Findley Road; Ms. Virginia Sheard of Geiger Avenue and representing the Kensington View Civic Association; and Ms. Laurelle O. Shoemaker of Brunswick Avenue.

There followed extensive Board discussion, with questions to staff and the applicant’s representative.

Commissioner Presley made a motion seconded by Chairman Hanson to deny the proposed Local Map Amendment Request stating that it does not comply with the Sector Plan recommendations.

Commissioner Alfandre dissented. His explanation of the dissenting vote is attached to the Minutes.

**15. Zoning Text Amendment–09-04 - Added**

To allow equestrian facilities in the Rural Neighborhood Cluster (RNC) and Rural Neighborhood Cluster/Transferable Development Rights (RNC/TDR) zones under certain circumstances; and make editorial changes to the land use provisions of Agricultural zones.

*Staff recommendation: Transmit Comments to County Council*  
**(Action required for County Council public hearing of 7/21/09)**

**BOARD ACTION**

**Motion: ALFANDRE/PRESLEY**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: CRYOR, ROBINSON TEMPORARILY ABSENT**

**Action: Approved staff recommendation to allow equestrian facilities in the Rural Neighborhood Cluster (RNC) zone, and the Rural Neighborhood Cluster/Transferable Development Rights (RNC/TDR) zone under certain circumstances, as stated in the attached transmittal letter to the County Council.**

**11. Subdivision Regulation Amendment–09-02 - POSTPONED**

To allow the consolidation of certain lots, parts of lots, or parcels under certain circumstances – Special Provision – Parcel Consolidation

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**        **This item was postponed.**

**12. Mandatory Referral No. 09718-F&S-1: Gaithersburg Library Renovation**  
18330 Montgomery Village Avenue, T-S Zone, 1985 Approved and Adopted Gaithersburg Master Plan

*Staff recommendation: Approval to transmit comments to Montgomery County Department of General Services*

**BOARD ACTION**

**Motion:**                **ALFANDRE/PRESLEY**

**Vote:**

**Yea:**                **4-0**

**Nay:**

**Other:**                **CRYOR TEMPORARILY ABSENT**

**Action:**        **Approved staff recommendation to transmit comments to Montgomery County Department of General Services, as stated in the attached transmittal letter.**

In keeping with the July 2 technical staff report, Community-Based Planning Division staff offered a brief presentation of the Mandatory Referral request to renovate the existing Gaithersburg Library. Staff noted that the following comments will be transmitted to the Montgomery County Department of General Services: 1) Schedule two of the additional staff members to leave the site outside of the weekday, evening peak period between 4:00 and 7:00 p.m.; and 2) Comply with approved Tree Save Plan after approval by the Board.

The following speakers offered testimony: Ms. Marie Van Wyk of Hellingly Place; and Ms. Jan Watson of Roman Way.

**13. Sligo Golf Course Re-Use-Plan Objectives, Outreach Strategy, and Plan Schedule**

**- Staff Report/ Comments Part A / Comments Part B**

Long- term and interim use plans will be developed for reuse of the Sligo Creek Golf Course property when it is returned to the Department of Parks by the Revenue Authority on October 1, 2009

**(Public Testimony will be limited to Two Hours)**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Following a briefing by Parks Department staff on the proposed long-term and interim use plans for reuse of the Sligo Creek Golf Course property when it is returned to the Department of Parks by the Revenue Authority on October 1, 2009, the Board received testimony from the public.**

The following speakers offered testimony: Mr. Jeffrey Russell of Crosby Road; Mr. Douglas Wallick of Wendover Road; Ms. Heather Phipps of Dallas Avenue; Mr. Bruce Sidwell of Spruce Avenue and representing the Friends of Sligo Creek; Mr. Larry Mitchell of Live Oak Drive and representing the Woodside Forest Civic Association; Mr. Peter Ettinger of Long Branch Way; Mr. James Brosnan of Louis Avenue and representing the North Woodside Montgomery Hills Citizens Association; Ms. Karen Howland of Crosby Road and representing the Woodside Forest Civic Association; Ms. Karen Goozner of Pin Oak Drive; MR. James Peirobon of Saffron Lane; Ms. Jill Klappenback of Blaine Drive; Mr. Doug Schuessler of Standish Place; MR. Daniel Blum of Crestridge Drive; Mr. Howard Kohn of Jefferson Avenue and representing the Takoma Park Soccer League; Ms. Laura Mol of Robin Road; Mr. George Tarrico of Seven Locks Road; Mr. Spencer Moore of Springdale Lane; Mr. Bradley Beeson of Cool Breeze Place; Mr. Mike Welsh of Dallas Avenue and representing the North Hills Sligo Creek Civic Association; Mr. James O'Hara of Highland Drive; Mr. James Rich of Granby Street; Ms. E. Dollie Wolverton of Crosby Road; Mr. John Taylor of Dallas Avenue; Ms. Coco Kagan of Tenbrook Drive; Mr. Mark Suffanti of Tulare Drive; Ms. Melanie Hennigan of Philadelphia Avenue; Mr. James Sachlis of Clay Street; Ms. Arquilla Ridgell of Disney Lane and Chair of the MidCounty Recreation Advisory Board; Ms. Christine Patrick of Sidney Road; Ms. Carmen Maymi of Kinsman View Circle; Ms. Catherine McGuffey of Leighton Avenue; Delegate Al Carr of the State House of Representatives; Ms. Ana Puentes of Silver Spring Avenue; Ms. Kathleen Michels of Ladd Street; Mr. Brian Cooke of Reedy Song Knoll Road; Mr. Thomas Abrams of Fisel Down Terrace; Mr. Joseph Hibbeln of Highland Drive House; Ms. Catherine Tunis of Larch Avenue; and Ms. Annie Holt of Dale Drive.